

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 08-20461

HON. SEAN F. COX

United States District Judge

FRANK EUGENE ARMSTRONG,

Defendant.

OPINION & ORDER DENYING WITHOUT PREJUDICE DEFENDANT’S MOTIONS FOR  
RECONSIDERATION [Doc. No. 32] AND TO POSTPONE SENTENCING [Doc. No. 34]

Defendant Frank Eugene Armstrong (“Armstrong”) was convicted by a jury of sexually exploiting children and possessing child pornography. Armstrong has been represented in this matter by Attorney Daniel Van Norman since October 10, 2008.

Despite being represented by counsel, on August 12, 2009 Armstrong, purporting to act *pro se*, filed his “Motion for Reconsideration” [Doc. No. 32]. Again purporting to act *pro se*, Armstrong also filed his “Motion to Postpone Sentencing” [Doc. No. 34] on August 14, 2009.

Since Armstrong already has counsel, Armstrong seeks to proceed in a “hybrid” fashion, both through counsel and *pro se* by way of the instant motions. *See McKaskle v. Wiggins*, 465 U.S. 168, 183 (1984). Although the Sixth Amendment guarantees defendants the right to conduct their own defense and even represent themselves, *see Faretta v. California*, 422 U.S. 806, 819-20 (1975), the right of self-representation does not include the right to proceed in a hybrid manner. *McKaskle*, 465 U.S. at 183; *see also United States v. Mosely*, 810 F.2d 93, 97-98 (6th Cir. 1987). Accordingly, the Court **DENIES** Armstrong’s Motions [Doc. Nos. 32, 34].

**IT IS SO ORDERED.**

S/ Sean F. Cox  
United States District Judge

Date: August 25, 2009

I hereby certify that on August 25, 2009, a copy of the foregoing document was served upon counsel of record by electronic means and by First Class Mail upon:

Frank Armstrong #809644  
Genesee County Jail  
1002 S. Saginaw Street  
Flint, MI 48502

S/ Jennifer Hernandez  
Case Manager